

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to PREPA.

ORDER GRANTING THREE HUNDRED FORTY-EIGHTH OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE PUERTO RICO ELECTRIC POWER AUTHORITY TO
MISCLASSIFIED AND OVERSTATED CLAIMS

Upon the *Three Hundred Forty-Eighth Omnibus Objection (Substantive) of the Puerto Rico Electric Power Authority to Misclassified and Overstated Claims* [ECF No. 17091] (the “Three Hundred Forty-Eighth Omnibus Objection”),² filed by the Puerto Rico Electric Power Authority (“PREPA”), dated August 3, 2021, for entry of an order reclassifying and/or modifying

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Three Hundred Forty-Eighth Omnibus Objection.

certain claims filed against PREPA, as more fully set forth in the Three Hundred Forty-Eighth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Three Hundred Forty-Eighth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Three Hundred Forty-Eighth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the claims identified in the column titled “Claims to be Reclassified” in Exhibit A to the Three Hundred Forty-Eighth Omnibus Objection (collectively, the “Claims to Be Reclassified”) asserting an overstated amount and/or an incorrect or improper priority or classification, as set forth in Exhibit A hereto; and the Court having determined that the relief sought in the Three Hundred Forty-Eighth Omnibus Objection is in the best interests of PREPA, its creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Three Hundred Forty-Eighth Omnibus Objection establish just cause for the relief granted herein; and the Court having deemed a hearing is not necessary as no objection, responsive pleading, or request for a hearing with respect to the Three Hundred Forty-Eighth Omnibus Objection has been submitted, and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Three Hundred Forty-Eighth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the Claims to Be Reclassified are hereby reduced and/or reclassified, such that the Claims to Be Reclassified shall now only be considered claims asserted as general unsecured claims in a reduced amount, as set forth in the column titled “Modified Claim” in Exhibit A to the Three Hundred Forty-Eighth Omnibus Objection, respectively; and it is further

ORDERED that the Debtors' right to object to the Claims to Be Reclassified is reserved; and it is further

ORDERED that Prime Clerk is authorized and directed to correct the Claims to Be Reclassified to reflect their status as general unsecured claims on the official claims register in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 17091 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Three Hundred Forty-Eighth Omnibus Objection

THREE HUNDRED FORTY-EIGHTH OMNIBUS OBJECTION

Exhibit A - Claims to Be Reclassified and Reduced

ASSERTED					CORRECTED		
NAME	CLAIM #	DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT
1 FERNANDEZ STIEHL, MARTA R LADA IVETTE LOPEZ SANTIAGO COND. DARLINGTON. OFIC. 1103 AVE. MUNOZ RIVERA #1007 SAN JUAN, PR 00925	126062	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$28,437.50	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$0.00
		PUERTO RICO ELECTRIC POWER AUTHORITY	Secured	\$28,437.50	PUERTO RICO ELECTRIC POWER AUTHORITY	Secured	\$0.00
					PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$28,437.50
		Subtotal		\$56,875.00	Subtotal		\$28,437.50
Reason: Claimant asserts a claim for \$28,437.50 in box 8 of proof of claim form. Claimant asserts the claim is secured and is also entitled to administrative priority treatment under 11 U.S.C. § 503(b)(9). Debtors have no evidence Claimant has a perfected security interest in Debtors' property, and the claim is not for goods sold. Accordingly, claimant is not entitled to administrative priority or a secured claim, and the claim should be reclassified a general unsecured claim in the amount of \$28,437.50.							
2 PERELES VELEZ, HECTOR 31 A VILLAS DE LA ESPERANZA JUANA DIAZ, PR 00795-9627	2505	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$575.99	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$0.00
		PUERTO RICO ELECTRIC POWER AUTHORITY	Secured	\$575.99	PUERTO RICO ELECTRIC POWER AUTHORITY	Secured	\$0.00
					PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$575.99
		Subtotal		\$1,151.98	Subtotal		\$575.99
Reason: Claimant asserts a claim for \$575.99 in box 8 of proof of claim form. Claimant asserts the claim is secured and is also entitled to administrative priority treatment under 11 U.S.C. § 503(b)(9). Debtors have no evidence Claimant has a perfected security interest in Debtors' property, and the claim is not for goods sold. Accordingly, claimant is not entitled to administrative priority or a secured claim and the claim should be reclassified a general unsecured claim in the amount of \$575.99.							
3 ROSARIO FELICIANO, SAMUEL EL PLANTIO L1A CALLE 9 TOA BAJA, PR 00949	6538	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$1,249.00	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$0.00
		PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$1,249.00	PUERTO RICO ELECTRIC POWER AUTHORITY	Secured	\$0.00
					PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$1,249.00
		Subtotal		\$2,498.00	Subtotal		\$1,249.00
Reason: Claimant asserts a claim for \$1,249.00 in box 8 of proof of claim form. Claimant asserts the claim is secured and is also entitled to administrative priority treatment under 11 U.S.C. § 503(b)(9). Debtors have no evidence Claimant has a perfected security interest in Debtors' property, and the claim is not for goods sold. Accordingly, claimant is not entitled to administrative priority or a secured claim and the claim should be reclassified a general unsecured claim in the amount of \$1,249.00.							
TOTAL				\$60,524.98	TOTAL		\$30,262.49

* Indicates claim contains unliquidated and/or undetermined amounts